

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>ORDER</u>
- v. -	:	20 Cr. 644 (RMB)
ALEXANDER GIL,	:	
Defendant.	:	

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WHEREAS, the Coronavirus Aid, Relief, and Economic Securities Act ("CARES Act") findings made by the Judicial Conference of the United States and the March 30, 2020 Standing Order of Chief Judge Colleen McMahon of the Southern District of New York allow for guilty pleas to be taken by video or telephone conference, subject to certain findings made by the District Judge; see Southern District of New York Standing Order, 20 MC 176, March 30, 2020;

WHEREAS, a letter-application was made by the United States of America on December 7, 2020 in advance of a change of plea colloquy scheduled to be held in December 2020, seeking to proceed with that colloquy by videoconference pursuant to Section 15002 *et seq.* of the CARES Act. See H.R. 748, Section 15002 *et seq.*, P.L. 116-136, signed into law on March 27, 2020 (noting that if "the district judge in a particular case finds for specific reasons that the plea . . . in that case cannot be further delayed without serious harm to the interests of justice, the plea . . .

may be conducted by video teleconference, or by telephone conference if video teleconferencing is not reasonably available");

WHEREAS, in support of that application, the Government set forth facts establishing specific reasons to proceed with the defendant's change of plea proceeding via a video teleconference;

THE COURT HEREBY FINDS that because the defendant consented to proceeding remotely, and for the reasons set forth in the Government's December 7, 2020 submission, the proceeding could not have been further delayed without serious harm to the interests of justice; and

IT IS HEREBY ORDERED that the parties' joint application to proceed with the defendant's change of plea proceeding via video or teleconference is granted for the reasons stated in the Government's application.

SO ORDERED:

Dated: New York, New York
December 8, 2020



HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK